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March 17, 2010

**Statement to the Government Administration and Elections Committee in Support  
of House Joint Resolution No. 65**

Thank you for the opportunity to place my statement into the record today. The Constitution of the U.S. grants specific limited powers to the federal government and the 10<sup>th</sup> Amendment reserves to the states or the people those powers not specifically enumerated. As we know from the study of the history surrounding the Constitutional Convention many of the founders were concerned about creating a federal government and ceded limited power to it very carefully. The states acting in convention created the federal government, and the states have the right and I might emphasize the obligation to check the federal government should it pass legislation about which it has no express authority.

Now, the state legislature already has the authority to determine the Constitutionality of federal laws because it is a power not specifically granted to the federal government. House Joint Resolution No. 65, the subject of today's hearing, merely reminds Congress to adopt only laws that are Constitutional. This is only emphasizing a simple truth intended and stated by the founders. It is merely a reminder of a right and obligation already possessed by the states. Frankly, as a citizen observer the Resolution doesn't do enough to stand up for the rights of the citizens of Connecticut. From the demonstration of contempt for the will of the people we are daily seeing exhibited by the congressional leadership of the United States, I believe any *resolution* proffered by one of the states will likely not even receive lip service, but instead will be met with derision – discarded and ignored. The state of Connecticut needs to be able to assert its power whenever it deems appropriate, to review federal laws for their Constitutionality.

I believe a Bill is required which will establish a methodology so that this legislature can assert the power it already possesses to review federal laws and determine their legality. In light of my life and business experience a statement of opinion, i.e. a *resolution* does not effectively advance the ball. The objective of anything emanating from this statehouse on this subject is to change the attitude and check the legislative thrust of the U.S. Congress regarding matters justly reserved to the states. A *resolution* that asks Congress to only exercise its delegated powers in the future will get no traction with the Congress. Only a bill which provides for the Connecticut legislature to go on the record regarding the constitutionality of specific federal legislation would place a stake in the ground on behalf of Connecticut citizens.

The crux of the matter here is that we-the-people, the citizens of Connecticut expect our representatives in this statehouse to vigorously stand up for our rights under both the Connecticut and U.S. Constitutions. Indeed, our representatives here and in Washington

have sworn an oath, and are obligated to do exactly that. This has nothing to do with political parties – our rights should be upheld regardless of which party is in power in Washington or Hartford. Frankly, we are surprised that this issue hasn't been taken up in bi-partisan fashion and pursued by this Legislature with vigor long before this proposal. To us this is simply the basics of government – the rules of the road. But, it seems nothing in government is basic. The enticement of federal funds has too often over-ridden the issue of the constitutionality of the legislation delivering these funds. And, all too often the federal funds come with onerous requirements and regulations – unfunded mandates on the states which serve to further impair our state's fiscal health. The citizens of Connecticut have not been well-served by this vicious spiral.

As most of us are well-aware, the actions of our federal leadership over the past year have stirred solid citizens throughout the country to come out, stand up and say – enough. Rest assured this is not a one-issue movement which will be subsumed with a single change, promise or a single piece of legislation. We will continue to be here in this Capitol building to persevere in this effort. At its core, this movement is about a restoration of governing philosophy – a reminder that a government which governs least governs best. And although it is only a modest first step, Resolution No. 65 is central to restoring the brilliant original Constitutional model designed by our nation's founding fathers. We must re-balance the federal and state government equation.

The time has come to say *enough* to the U.S. Congress and reclaim for Connecticut its rights as clearly expressed in the 10<sup>th</sup> Amendment. So, I implore this Committee to enthusiastically bring House Joint Resolution No. 65 to the floor for a vote in both chambers of this legislature.

Thank you.

A handwritten signature in cursive script, reading "Robert D. Murphy". The signature is written in dark ink and is positioned below the text "Thank you.".